

Mr Christian Clemares
XUL Architecture
33 Belsize Lane
London
NW3 5AS

Application Ref: **2017/0382/P**
Please ask for: **Emily Whittredge**
Telephone: 020 7974 **2362**

23 February 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**Flat 11
Netherhall Mansions
32 Netherhall Gardens
London
NW3 5TN**

Proposal:

Variation of condition 3 (approved plans) of planning permission ref 2013/1265/P (dated 13/05/2013) for loft conversion with side dormer and 2 x roof lights in connection with residential flat (Class C3).

Drawing Nos: PA-09 Rev.02, PA-01 Rev.02, LP-01 Rev.00, Planning Statement, JS/SP/550/06A, JS/SP/550/2/02, EX-09 Rev. 01.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: PA-09 Rev.02, PA-01 Rev.02, LP-01 Rev.00.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The hereby approved rooflights should be installed in such manner as to appear flush with the roof slope.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of development, the white dormer fascia shall be removed and the external materials made good in accordance with the development hereby approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The application relates to the top front flat of a three-storey semi-detached building on the east side of Netherhall Gardens. The site lies within the Fitzjohns / Netherhall CA. The building is not listed.

The application seeks minor amendments to the approved development ref. 2013/1265/P (dated 13/05/2013) for loft conversion with side dormer and 2 x roof lights in connection with residential flat (Class C3). The dormer was constructed several years ago, but less than four and is therefore not immune from enforcement action.

The application seeks to make changes to the approved dormer, and regularise and improve parts of the development that were carried out by a previous owner. The changes include: increase in the size of the dormer and removal of the existing white dormer fascia; and changes to the approved windows on the dormer. The rest of the proposal is unchanged from the approved development.

The dormer as built is nearly 0.4 deeper than approved and overshoots the roof valley by approximately 7cm. The dormer has also been constructed 0.4m wider than approved, but is set down from the ridge 0.2m further. The depth is visible from some locations on the public highway, but it is principally the white fascia board that draws attention to the dormer. On balance, the removal of the fascia and its replacement with clay tiles to match the existing roof slope would adequately mitigate the visual impact of the dormer as constructed.

The dormer windows were constructed contrary to the approved plans, and the application seeks further amendments resulting in two timber casement windows and one narrow timber window 2.25m high to serve the stairwell. The large window would be largely concealed by the valley roof and the new pattern of fenestration is not considered to have a detrimental impact on the character and appearance of the conservation area or the host building. The development would not have any impact on the amenity of neighbours.

The planning history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 and CS14, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website

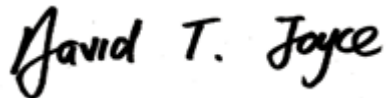
<http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Executive Director Supporting Communities